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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DR. MORGAN REYNOLDS, on behalf of :	:
The United States of America	:
	:
Plaintiff,	: <u>ECF CASE</u>
vs.	:
	:
SCIENCE APPLICATIONS	: April 3, 2008
INTERNATIONAL CORP., et al	:
	:
Defendants.	:

**DECLARATION IN OPPOSITION TO DEFENDANT,
SCIENCE APPLICATIONS INTERNATIONAL CORP.'S, REPLY TO
PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS**

PLEASE TAKE NOTICE, that plaintiff hereby files his opposition to defendant, Science Applications International Corp.'s Reply to Plaintiff's Opposition to Defendants' Motions to Dismiss, which reply was filed on March 28, 2008, Document #134.

Defendant, SAIC, originally filed its motion to dismiss on March 5, 2008, Document #127. Plaintiff filed his opposition to said motion on March 12, 2008, Document #131.

Local Civil Rule 6.1 provides that "...(3) any reply affidavits and memoranda of law shall be served within five business days after service of the answering papers". Plaintiff filed his answering papers to motions to dismiss on Wednesday, March 12, 2008. Any replies were due on or before midnight of Wednesday, March 19, 2008.

Plaintiff asserts that defendant, SAIC's, Reply is barred as having not been filed within the time proscribed by L.Civ.R. 6.1, neither was an extension of time to file requested.

Respectfully submitted,

By /s/ Jerry V. Leaphart
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Dated: Danbury, CT
 April 3, 2008

ELECTRONIC CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2008, a copy of the foregoing notice was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Jerry V. Leaphart
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